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Attorneys for United States of America

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION  
12

13 UNITED STATES OF AMERICA,	) NO. CR 15-518 MMC
	)
14 Plaintiff,	) STIPULATION AND <del>PROPOSED</del> ORDER RE
	) PAYMENT OF LAWSUIT SETTLEMENT
15 v.	) PROCEEDS INTO COURT REGISTRY BEFORE
	) SENTENCING
16 ROBERT JACOBSEN,	)
	)
17 Defendant.	)
	)

18  
19 The United States and Defendant Robert Jacobsen, by and through their respective counsel,  
20 hereby stipulate and agree as follows:

21 1. In the Plea Agreement entered on July 19, 2017, defendant agreed to pay full restitution  
22 for all losses caused by all the schemes or offenses with which he was charged in this case and agreed to  
23 pay restitution in an amount, if any, to be set by the Court at the time of sentencing.

24 2. On August 9, 2017, defendant's prior counsel notified the United States that Defendant  
25 would be receiving funds from the settlement of a private lawsuit, *Jacobsen et al., v. Aurora Loan*  
26 *Services, LLC*, Case No. 12-cv-00135-RS ("*Jacobsen v. Aurora*") in which defendant is a plaintiff. On  
27 November 7, 2017, defendant's attorney in *Jacobsen v. Aurora* served a copy of a "Motion to Approve  
28 Settlement" that he filed in that case on the United States.

STIPULATION AND PROPOSED ORDER  
CR 15-518 MMC

1           3.       Defendant agrees that the Court may order defendant to deposit all proceeds from the  
2 settlement of *Jacobsen v. Aurora* into the Court's Registry.

3           4.       Defendant agrees that the Court may order that the proceeds from the settlement of  
4 *Jacobsen v. Aurora* be held in the Court's Registry until entry of final judgment in Criminal Case No.  
5 15-518-MC or until further order of the Court.

6           5.       The parties have agreed that the funds received by defendant through settlement of a  
7 private lawsuit and held by the Clerk of the United States District Court in advance of sentencing will be  
8 applied toward any restitution ordered by the Court. The parties further agree that if no restitution is  
9 ordered, the funds held in the registry may be returned to the defendant upon entry of Final Judgment in  
10 the above criminal case.

11           6.       The parties therefore jointly request that the Court issue this Proposed Order ordering  
12 defendant to deposit any proceeds he receives or to which he is entitled from the settlement of *Jacobsen*  
13 *v. Aurora* to the Court's Registry and authorizing the Clerk to accept defendant's restitution payments.

14           **IT IS SO STIPULATED.**

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16 Dated: \_\_\_\_\_

s/ Kenneth H. Wine  
KENNETH H. WINE  
Attorney for Defendant

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20 BRIAN J. STRETCH  
United States Attorney

21 Dated: \_\_\_\_\_

s/ Benjamin Kingsley  
BENJAMIN KINGSLEY  
Assistant United States Attorney

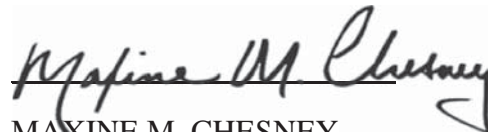
1 **[PROPOSED] ORDER**

2 The Court, having considered the Stipulation Regarding Payment of Lawsuit Settlement  
3 Proceeds, which arises from the plea agreement entered in this case, the Stipulation having been  
4 executed by the United States and defendant's counsel, and good cause appearing, hereby ORDERS as  
5 follows:

- 6 1. The Stipulation is approved;
- 7 2. Defendant is ordered to deposit any proceeds he receives or to which he is entitled from  
8 the settlement of *Jacobsen v. Aurora* to the Court's Registry
- 9 3. The Clerk of Court for the Northern District of California shall accept from the defendant  
10 checks or money orders made payable to "Clerk, United States District Court," and to hold such funds in  
11 the Clerk's Registry, including interest earned thereon, for crediting towards the defendant's restitution  
12 obligation and pending the further order of this Court.

13 **IT IS SO ORDERED.**

14  
15 Dated: November 28, 2017

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17 MAXINE M. CHESNEY  
18 United States District Judge  
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